

Message Text

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ACTION OFA-01

INFO OCT-01 ARA-06 ISO-00 NSF-01 L-03 DLOS-04 PM-04 COME-00

DODE-00 /020 W

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R 172101Z NOV 75

FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 3467

INFO AMEMBASSY SANTIAGO

LIMITED OFFICIAL USE BUENOS AIRES 7552

E.O. 11652: N/A

TAGS: OCLR, TGEN, AR, CI

SUBJECT: R/V THOMAS G. THOMPSON

ALSO FOR NSF

REF: BUENOS AIRES 7188 AND PREVIOUS

1. SUMMARY. THE EMBASSY HAS RECEIVED A NOTE FROM THE FOREIGN MINISTRY AUTHORIZING THE CRUISE OF THE R. V. "THOMAS G. THOMPSON" BUT REQUESTING SOME FURTHER INFORMATION IAW CERTAIN ARGENTINE DECREE LAWS. IT APPEARS TO EMBASSY THAT PLANNED CRUISE INCLUDES RESEARCH IN WATERS ARGENTINA MAY CLAIM. BUT NOT IN WATERS U.S. WOULD RECOGNIZE AS ARGENTINE. EMBASSY PROPOSES TO INFORM MINISTRY THAT IT NOW UNDERSTANDS THAT THOMPSON DOES NOT RPT NOT PROPOSE RESEARCH IN ARGENTINE TERRITORIAL WATERS, BUT THAT IT MIGHT WISH ENTER SUCH WATERS IN EMERGENCY, AND FURTHER CITE ITS PLANNED RESEARCH IN ANTARCTIC WATERS AS BEING OF COLLABORATIVE INTEREST TO U.S., ARGENTINA, AND CHILE. THOMPSON CRUISE TRACK WOULD BE SENT TO MINISTRY, BUT SEPARATELY AND WITHOUT REFERENCE TO MINISTRY'S NOTE. ACTION REQUESTED: DEPT AND NSF CONCURRENCE SOONEST. END SUMMARY.

2. FOLLOWING IS FREE TRANSLATION OF SUBSTANTIVE PORTION OF FOREIGN MINISTRY NOTE DATED NOV. 12, 1975:

(THE MINISTRY) "HAS THE PLEASURE TO REFER TO YOUR NOTE NO.

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282 OF SEPTEMBER 23 BY WHICH YOU REQUEST AUTHORIZATION TO

CONDUCT SCIENTIFIC RESEARCH IN THE MARITIME AREAS UNDERSTOOD (TO BE) UNDER ARGENTINE SOVEREIGNTY, IN CONFORMITY WITH THAT ESTABLISHED IN DECREE-LAW 17,094, BY THE VESSEL 'THOMAS G. THOMPSON'.

"WITH RESPECT TO THIS, THIS CHANCELLERY HAS THE PLEASURE TO INFORM (YOU) THAT, CONSULTED ABOUT THE MATTER, THE COMPETENT AUTHORITIES HAVE CONCEDED THE CORRESPONDING AUTHORIZATION. WITHOUT PREJUDICE TO IT AND IN ORDER TO DULY FULFILL THAT (WHICH WAS) ESTABLISHED BY DECREE-LAW 20,489 AND ITS REGULATING DECREE NO. 4915/73, THOSE DISPOSITIONS WHICH ORCHESTRATE THE REGIME OF ACTIVITIES OF SCIENTIFIC RESEARCH WHICH ARE DEVELOPED IN THE MARITIME SPACES SUBMITTED TO THE JURISDICTION OF THE REPUBLIC, THE TRANSMITTAL OF ADDITIONAL DATA ABOUT THE WORK TO BE ACCOMPLISHED BY THE 'THOMAS G. THOMPSON' IS DEEMED NECESSARY, IN ORDER TO KNOW THE CHRONOGRAM OF THE OPERATIONS TO BE ACCOMPLISHED AND THE ITINERARY OF THE VESSEL DURING ITS TRANSIT THROUGH WATERS OF ARGENTINE JURISDICTION".

NOTE IS SIGNED BY UNDERSECRETARY FOR FOREIGN RELATIONS AMB. JUAN CARLOS BELTRAMINO. (COMMENT: DECREE LAW 17,094 CLAIMS SOVEREIGNTY OUT TO 200 MILES, BUT WITHOUT EFFECT ON FREEDOM OF NAVIGATION. DECREE LAW 20,489 AND ITS REGULATING DECREE WERE TRANSMITTED WITH BUENOS AIRES A-129 (1974).

3. FURTHER STUDY BY EMBASSY OF PROPOSED CRUISE TRACK SENT WITH A-6028 LEADS US TO CONCLUDE (A) TIDE GAGE STATION AT 55 DEG 58.3'S AND 66 DEG 57.0' W IS IN WATERS ARGENTINA MAY CLAIM, BUT NOT WATERS U.S. WOULD PRESENTLY RECOGNIZE AS ARGENTINE; (B) NO OTHER PORTION OF CRUISE TRACK LIES WITHIN WATERS U.S. REGARDS AS ARGENTINE. UNDER CIRCUMSTANCES, TO AVOID IMPLICIT RECOGNITION OF 200 MILE LIMIT WE DO NOT, IN FACT, RECOGNIZE, BUT TO PERMIT THOMPSON CRUISE TO PROCEED AS DESIRED, EMBASSY PROPOSES TO INFORM MINISTRY THAT I NOW UNDERSTANDS THAT NO RPT NO RESEARCH IS PROPOSED IN ARGENTINE TERRITORIAL WATERS, BUT THAT, IN ANY CASE THERE WILL BE AN ARGENTINE SCIENTIST/OBSERVER ON BOARD, AND RESULTS OF RESEARCH WILL BE PROVIDED TO ARGENTINA AS PREVIOUSLY INDICATED. FURTHER, SHOULD THE SHIP FIND IT NECESSARY TO ENTER ARGENTINE WATERS DUE TO E.G. LIMITED OFFICIAL USE

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SEVERE WEATHER OR OTHER EMERGENCY, IT WILL COMPLY WITH ALL NORMAL SEAGOING PRACTICES FOR SUCH A SITUATION. ALSO, AS WE KNOW OF THE INTERESTS OF ARGENTINA IN ANTARCTIC RESEARCH IN THE AREA OF THE DRAKE PASSAGE AND SOUTH SHETLAND ISLANDS, WE REGARD THIS CRUISE TO THIS REGION AS BEING IN THE SPIRIT OF COOPERATION AMONG THE U.S., ARGENTINA, AND CHILE UNDER THE ANTARCTIC TREATY.

4. AS PRACTICAL MATTER, WE ANTICIPATE NO RPT NO PROBLEM FROM ARGENTINE NAVY FOR THE TIDE GAGE STATION CITED, AS IT IS MUCH NEARER CAPE HORN WHICH THEY RECOGNIZE AS CHILEAN, THAN TO THE LENNOX AND NUEVA ISLANDS (UNDER DISPUTE) OR THE TIERRA DEL FUEGO MAINLAND.

5. WE PROPOSE TO SEND THE CRUISE TRACK (ATTACHMENT TO A-6028) TO THE MINISTRY, BUT WITHOUT REFERENCE TO MINISTRY'S NOTE. HOPEFULLY, THIS APPROACH WILL AVOID ANY DIPLOMATIC PROBLEMS RE THE CAPE HORN STATION.

6. ACTION REQUESTED: DEPT AND NSF CONCURRENCE SOONEST.
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